

# Exhibit I

**Bui, Samantha**

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**From:** Neelu T. Pathiyil <npathiyil@lsnyc.org>  
**Sent:** Tuesday, October 25, 2022 11:01 AM  
**To:** Lupin, Andrew; Salathe, Douglas  
**Cc:** Connell, Gillian; Luis A. Henriquez; Bui, Samantha; Liam Lowery  
**Subject:** Re: Mark Liboy Reasonable Accommodation Request

**EXTERNAL SENDER – Proceed with caution**

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Good Morning,

Mr. Salathé, could you provide clarification on how specifically the Mayor's Public Engagement Unit can assist Mr. Liboy in searching for apartments? Our client, Mr. Liboy, has numerous chronic conditions that affect his mobility. He would require someone to assist him by physically viewing apartments on his behalf, or to virtually show him apartments.

Mr. Lupin, as you may be aware, currently the median rent in Manhattan for a 2-bedroom apartment is \$5,000, and in Brooklyn, \$3,600 (see, for example, [here](#)). Even if Mr. Liboy is lucky enough to find a 2-bedroom apartment in lower Manhattan/nearby Brooklyn at the voucher limit of \$2,808, he does not have the financial means to pay such amount in the form of a security deposit (Mr. Liboy currently lives off of SSI/SSD and his recollection of his security deposit is that it is less than \$200). I'm sure you can appreciate that the difference between what Mr. Liboy would have to pay to move if he were still a public housing tenant (our understanding is nothing because his security deposit would transfer from one public housing unit to the next, but you can clarify if different), and what he will be required to pay if seeking to rent on the private market, is sizeable. Therefore, and to reiterate our request, is NYCHA willing, as part of the reasonable accommodation package, to cover Mr. Liboy's security deposit and moving expenses? Without it, we do not believe Mr. Liboy has enough money to pay for moving expenses in the private market and, therefore, expect that we would explore litigation avenues on behalf of our client.

Thank you for your time and we look forward to your prompt response.

Best,

Neelu Pathiyil  
Senior Staff Attorney  
**Legal Services NYC - Manhattan Legal Services**  
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*pronouns: she/her/hers*



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**From:** Lupin, Andrew <Andrew.Lupin@nycha.nyc.gov>

**Sent:** Tuesday, October 11, 2022 5:37 PM

**To:** Neelu T. Pathiyil <npathiyil@lsnyc.org>

**Cc:** Connell, Gillian <Gillian.CConnell@nycha.nyc.gov>; Luis A. Henriquez <Lahenriquez@lsnyc.org>; Samantha Bui <samantha.bui@alston.com>; Salathe, Douglas <salathed@hra.nyc.gov>

**Subject:** RE: Mark Liboy Reasonable Accommodation Request

Good afternoon,

NYCHA has been in touch with C+C Management. Unfortunately, C+C Management does not currently have any available units that satisfy Mr. Liboy's location preferences.

I have copied Douglas Salathé, the Policy Director of the NYC Mayor's Public Engagement Unit, who can answer any questions about the extent to which the PEU can assist Mr. Liboy by virtually showing him apartments where he can use his transfer voucher or by physically viewing apartments on his behalf.

Also, NYCHA does not have the ability to pay for Mr. Liboy's moving expenses or security deposit, though C+C Management will return Mr. Liboy's security deposit in full, with any accrued interest (and absent any part of the deposit required to pay for damage to the leased premises beyond ordinary wear and tear), within 14 days of him vacating the unit.

Please let me know if you have any other questions.

Thanks,

**Andrew Lupin**

Chief of General Litigation

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**From:** Neelu T. Pathiyil <npathiyil@lsnyc.org>

**Sent:** Friday, September 30, 2022 2:28 PM

**To:** Lupin, Andrew <Andrew.Lupin@nycha.nyc.gov>

**Cc:** Connell, Gillian <Gillian.CConnell@nycha.nyc.gov>; Luis A. Henriquez <Lahenriquez@lsnyc.org>; Samantha Bui <samantha.bui@alston.com>

**Subject:** [EXTERNAL] Re: Mark Liboy Reasonable Accommodation Request

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Good Afternoon,

Thank you for your response regarding Mr. Liboy's reasonable accommodation request. Without prejudice to any and all actions, claims, and remedies available to our client, Mr. Liboy is willing to consider NYCHA's offers

to pay the broker's fee, increase the Voucher Payment Standard, and receive assistance from the Mayor's Office of Public Engagement, subject to NYCHA providing additional accommodations as stated below.

First, please inform us by October 7, 2022 whether C+C Management has any properties in lower Manhattan or western Brooklyn suitable for Mr. Liboy's reasonable accommodation needs. Mr. Liboy is also open to considering C+C Management developments elsewhere in Manhattan if they are located near transit stations that lead him to his doctor's offices without transfers.

Second, you stated in your letter that the Mayor's Office of Public Engagement can potentially assist Mr. Liboy by sending listings, scheduling viewings, and interfacing with landlords on his behalf. While this is a start, due to Mr. Liboy's multiple chronic medical conditions that affect his mobility, as set forth in my 9/13 letter (which, to reiterate, includes but is not limited to: lumbar spondylosis and radiculopathy, cervical spondylosis, osteoarthritis of knee, sacroiliac inflammation and joint pain, and intervertebral disc disorder), repeated commutes to view apartments in person pose an unreasonable risk to Mr. Liboy's health and well-being, especially if, as it is likely, it takes him a number of months to find a suitable apartment. Thus, he would require someone to assist in physically viewing the apartments on his behalf or to virtually show him the apartments. Please confirm whether NYCHA or the Mayor's Office will be able to provide such assistance.

Finally, one challenge to Mr. Liboy seeking an apartment in the private rental market—in light of his disabilities and limited income—is his inability to pay moving expenses and the required security deposit (which, if he moved to a NYCHA building, he would not have to cover). Please confirm whether NYCHA is willing to cover Mr. Liboy's moving expenses and security deposit as part of the overall reasonable accommodation sought herein.

Thank you for your time and we look forward to your prompt response.

Sincerely,

Neelu Pathiyil

Senior Staff Attorney

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**From:** Lupin, Andrew <[Andrew.Lupin@nycha.nyc.gov](mailto:Andrew.Lupin@nycha.nyc.gov)>

**Sent:** Wednesday, September 21, 2022 5:28 PM

**To:** Neelu T. Pathiyil <[npathiyil@lsnyc.org](mailto:npathiyil@lsnyc.org)>

**Cc:** Connell, Gillian <[Gillian.Connell@nycha.nyc.gov](mailto:Gillian.Connell@nycha.nyc.gov)>

**Subject:** Mark Liboy Reasonable Accommodation Request

Good afternoon,

Please see attached a letter responding to your September 13, 2022 correspondence regarding Mark Liboy's reasonable accommodation request.

Please let me know if you have any questions or if you would like me to connect you with the Mayor's Office of Public Engagement, which can assist Mr. Liboy in locating and leasing an apartment.

Thanks,

**Andrew Lupin**

Chief of General Litigation

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